



WEB COPY



Tr.C.M.P.No.13 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2024

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

Tr.C.M.P.No.13 of 2024 and
C.M.P.No. 439 of 2024

D.Sumithra

...Petitioner

Vs.

Chandrasekar

.. Respondent

Prayer : The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the petition in F.C.O.P.No. 248 of 2023 pending on the file of Family Court, Namakkal and transfer the same to the Family Court, Trichy.

For Petitioner : Mr.B.Kumarasamy

For Respondent : Mr.R.Vivek Ananthan

ORDER

This petition has been filed seeking to withdraw the F.C.O.P.No.248 of 2023 pending on the file of the Family Court, Namakkal and to transfer the same to the Family Court, Trichy.

2. It is submitted by the learned counsel for the petitioner that the marriage of the petitioner with the respondent was solemnized on



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13.06.2021 at Mohanur, Namakkal District. Post wedding, both of them lived at the respondent's parental house. Dispute arose between the petitioner and the respondent, on which the respondent filed the petition in F.C.O.P.No. 212 of 2021 seeking restitution of conjugal rights. The petitioner appeared before the Court and expressed her intention to joint the respondent. Accordingly, F.C.O.P.No. 212 of 2021 was allowed on 01.06.2023. The petitioner gave a birth to female child on 28.01.2023. However, on account of some issues between the petitioner and the respondent, the petitioner has filed a complaint before the All Women Police Station, Jeeyapuram on 05.05.2023 and the same was registered in C.S.R.No. 142 of 2023.

3. The petitioner has filed D.V.C.No. 139 of 2023 and the same is pending in the concerned Court. The petitioner has also filed M.C.No. 31 of 2023 against the respondent and same is pending. The respondent has filed F.C.O.P. No. 248 of 2023 against the petitioner seeking divorce.

4. It is submitted by the learned counsel for the petitioner that the distance of Tiruchy where the respondent has filed F.C.O.P. No. 248 of 2023 is about 88 Kms from Namakkal and that other cases filed by the petitioner are pending at Tiruchy, therefore sought for transfer of F.C.O.P. No. 248 of



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2023 pending on the file of Family Court, Namakkal to the Family Court, Tiruchy.

5. It is submitted by the learned counsel for the respondent that the respondent has no objection for withdraw and transfer of F.C.O.P.No. 248 of 2023 pending on the file of Family Court, Namakkal to the Family Court, Tirchy and the same is recorded.

6. Considering the submission made by both sides and on perusal of records, this petition is allowed withdrawing F.C.O.P.No. 248 of 2023 pending on the file of Family Court, Namakkal and transferred to Family Court, Tirchy. The learned judge of the Family Court, Namakkal is directed to dispatch the entire case records pertaining to F.C.O.P.No. 248 of 2023 duly indexed to the Family Court, Trichy as quickly as possible. Consequently, connected miscellaneous petition is also closed. No costs.

07.08.2024

Index:Yes/No
Speaking Order :Yes/No
Neutral Citation:Yes/No
nsl



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DR. D.NAGARJUN,J.

ns1

To

1. The Family Court,
Namakkal.
2. The Family Court,
Trichy.

Tr.CMP.No.13 of 2024
and
C.M.P.No.439 of 2024

07.08.2024